

## Proposed Legislative Changes to 42-4-510

### 42-4-510. Permits for excess size and weight and for manufactured homes - rules - repeal

(1) (a) The department of transportation, the motor carrier services division of the department of revenue, or the Colorado state patrol with respect to highways under its jurisdiction or any local authority with respect to highways under its jurisdiction may, upon application in writing and good cause being shown therefor, issue a single trip, a special, or an annual permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this article or otherwise not in conformity with the provisions of this article upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which said party is responsible; except that permits for the movement of any manufactured home shall be issued as provided in subsection (2) of this section.

(b) (I) The application for any permit shall specifically describe the vehicle and load to be operated or moved and the particular highways for which the permit to operate is requested, and whether such permit is for a single trip, a special, or an annual operation, and the time of such movement. All state permits shall be issued in the discretion of the department of transportation, subject to rules adopted by the transportation commission in accordance with this section and [section 42-4-511](#). All local permits shall be issued in the discretion of the local authority pursuant to ordinances or resolutions adopted in accordance with [section 42-4-511](#). Any ordinances or resolutions of local authorities shall not conflict with this section.

(II) An overweight permit issued pursuant to this section shall be available for overweight divisible loads if:

(A) The vehicle has a quad axle grouping and the maximum gross weight of the vehicle does not exceed one hundred ten thousand pounds; or

(B) The vehicle is operated in combination with a trailer or semitrailer, the trailer has two or three axles, and the maximum gross weight of the vehicle does not exceed ninety-seven thousand pounds; and

(C) The owner and operator of the motor vehicle are in compliance with the federal "Motor Carrier Safety Improvement Act of 1999", Pub.L. 106-159, as amended, as applicable to commercial vehicles; and

(D) The vehicle complies with rules promulgated by the department of transportation concerning the distribution of the load upon the vehicle's axles.

**(III) An annual overweight permit issued pursuant to this section shall be available for overweight sludge vehicles loads if:**

**(A) The vehicle is a overweight sludge vehicle, operated by or on behalf of the State or a municipality; or**

**(B) The overweight sludge vehicle shall be operated within the vehicle's gross vehicle weight and shall be equipped with large flotation type tires on the steering axle .**

**(C) For the purposes of this paragraph (A), "overweight sludge vehicle" means a vehicle equipped with vacuum and/or jet equipment for use with any solid, semisolid, or liquid waste related to municipal,**

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commercial, or industrial wastewater or water treatment or transportation systems, or any other such waste having similar characteristics and effect, and for the removal of stormwater.

(D) The owner and operator of the motor vehicle are in compliance with the federal "Motor Carrier Safety Improvement Act of 1999", Pub.L. 106-159, as amended, as applicable to commercial vehicles; and

(E) The vehicle complies with rules promulgated by the department of transportation concerning the distribution of the load upon the vehicle's axles.

~~(III)~~(IV) A permit issued pursuant to this paragraph (b) shall not authorize the operation or movement of a motor vehicle on the interstate highway in violation of federal law.

(c) (I) A single trip or annual permit shall be issued pursuant to this section for a self-propelled fixed load crane that exceeds legal weight limits if it does not exceed the weight limits authorized by the department of transportation. A boom trailer or boom dolly shall not be permitted unless the boom trailer or boom dolly is attached to the crane in a manner and for the purpose of distributing load to meet the weight requirements established by the department. A self-propelled fixed load crane may be permitted with counterweights when a boom trailer or boom dolly is used if the counterweights do not exceed the manufacturer's rated capacity of the self-propelled fixed load crane and do not cause the vehicle to exceed permitted axle or gross weight limits. A permit issued pursuant to this paragraph (c) shall not authorize movement on interstate highways if not approved by federal law.

(II) For the purposes of this paragraph (c), "self-propelled fixed load crane" means a self-powered mobile crane designed with equipment or parts permanently attached to the body of the crane. A self-propelled fixed load crane includes, without limitation, the crane's shackles and slings.